

3731
#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of)
 Hathaway et al.) Before the Examiner
 Serial No. 10/008,781) Woo
 Filed November 13, 2001) Group Art Unit
 APPARATUS AND METHOD FOR) 3731
 POSTIVE CLOSURE OF AN)
 INTERNAL TISSUE MEMBRANE)
 OPENING)

INFORMATION DISCLOSURE STATEMENT
SUBMITTED UNDER 37 C.F.R. §1.97(c)(1)

RECEIVED
 FEB 09 2004
 TECHNOLOGY CENTER R3700

Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure in accordance with 37 CFR §1.56, Applicant wishes to bring to the attention of the Examiner the patents, publications, and/or other information listed on the attached PTO Form 1449 (modified). Copies of cited items are enclosed in accordance with 37 CFR §1.98.

The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56(b).

I hereby certify that this correspondence is being deposited with the United States Postal Service as <u>first class mail</u> in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.	
<u>January 30 2004</u> (Date of Deposit)	
James B. Myers, Jr.	
Name of Registered Representative	
<u>James B. Myers</u> Signature	
<u>January 30 2004</u> Date of Signature	

This statement is being submitted after the filing of the application and after receipt of the First Office Action, but before the mailing of an action closing prosecution of the application. It is believed that no fee is required for consideration of the submitted items. However, should any extra fees be required, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

By: James B. Myers Jr.

James B. Myers Jr., Reg. No. 42,021
Woodard, Emhardt, Moriarty, McNett & Henry LLP
3700 Bank One Center Tower
111 Monument Circle
Indianapolis, IN 46204-5137
(317) 634-3456